

## COUNTY OF FAIRFAX, VIRGINIA

### SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

TRUSTEES OF CALVARY CHRISTIAN CHURCH, SPA 76-S-200-02 Appl. under Sect(s). 3-103 of the Zoning Ordinance to amend SP 76-S-200 previously approved for place of worship to permit site modifications and deletion of land area. Located at 6408 Spring Lake Dr. and 9800 Old Keene Mill Rd., Burke, 22015, on approx. 9.67 ac. of land zoned R-1. Springfield District. Tax Map 88-1 ((2)) 8 and 10. (In association with RZ 2013-SP-005) (Admin. moved from 7/31/13, 9/25/13, 10/30/13, and 12/11/13) (Admin. moved from 1/29/14 for ads.) Mr. Hammack moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on February 26, 2014; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the property.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only and is not transferable without further action of this Board, and is for the 4.39-acre location indicated on the application, 9800 Old Keene Mill Road (Parcel 10) (previously containing 9.67 acres of land), and is not transferable to other land.
2. This special permit amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit amendment plan titled "Calvary Christian Church," and consisting of 9 sheets, prepared by The BC Consultants, dated January 2013, revised through December 12, 2013, and approved with this application, as qualified by these development conditions.

3. The resolution pertaining to the granting of this special permit amendment SHALL BE POSTED in a conspicuous place along with the Non-Residential Use Permit on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This special permit amendment is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special permit amendment shall be in conformance with the approved special permit amendment plan and these development conditions.
5. The maximum number of seats shall be 300.
6. There shall be 86 parking spaces provided as shown on the special permit amendment plan. All parking shall be on site.
7. Transitional Screening 1 shall be modified to that shown on the special permit amendment plan along all lot lines to allow the existing vegetation to satisfy this requirement.
8. The barrier requirement shall be waived along all lot lines.
9. The Countywide Trails Plan recommendation for an on-road bicycle trail on the north side of Old Keene Mill Road shall be waived.
10. Signs shall be permitted in accordance with Article 12, Signs.
11. Any proposed new or replacement lighting of the parking lot areas shall be in accordance with Part 9, Article 14 of the Zoning Ordinance. The combined height of any new light standards and fixtures shall not exceed twelve (12) feet.


This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this use shall not be established until this has been accomplished.

Pursuant to Section 8-015 of the Zoning Ordinance, this special permit amendment shall automatically expire, without notice, 30 months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted. The Board may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit amendment. The

request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Smith seconded the motion, which carried by a vote of 7-0.

A Copy Teste:

  
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Suzanne Frazier, Deputy Clerk  
Board of Zoning Appeals